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SUBJECT: BULGARIA: 2009-2010 INCSR, PART I

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¶1. Per reftel instructions, Post submits the following text for the 2009-2010 INCSR, Part 1.

BEGIN TEXT

Bulgaria

¶I. Summary

Bulgaria is a transit country for heroin and cocaine, as well as a producer of illicit narcotics. Astride Balkan transit routes, Bulgaria is vulnerable to illegal flows of drugs, people, contraband, and money. Heroin distributed in Europe moves through Bulgaria from Southwest Asia and via the Northern Balkan route, while chemicals used for making heroin move through Bulgaria to Turkey and the Middle East. Marijuana and cocaine are also transported through Bulgaria. The Bulgarian government is very cooperative, working with many U.S. agencies, especially DEA, and has reached out to neighboring states to cooperate in interdicting the illegal flow of drugs and persons. Despite formidable challenges, including an overly formalistic legal system and longstanding problems with corruption, the newly elected Bulgarian government has shown a strong commitment to reforming its law enforcement agencies and judiciary. At the end of the year, the government pushed legislation to improve its ability to investigate, prosecute, and adjudicate illicit narcotics trafficking cases and other serious crimes. Parliament is also reviewing legislation to close legal loopholes used by organized crime and drug kingpins to avoid sentencing. End Summary

II. Status of the Country

Bulgaria continues to be primarily a drug transit country for heroin and cocaine. Cannabis was the most used drug in Bulgaria followed by synthetics. Heroin use remained constant during the year with experts estimating the number of heroin users to be 20,000 to 30,000 in 2009. Consumption of cocaine, primarily consumed by the wealthy, continued to increase. Despite success in reducing locally produced synthetic drugs, according to NGOs and international observers, Bulgaria continues to be a source of some synthetic drug production, including amphetamines, which are produced for the domestic market and exported to Turkey. The new government, elected in July, stepped up efforts to combat organized crime and drug trafficking. Upon taking office of the agency widely believed to be one of the most corrupt Bulgarian institutions, the new customs chief implemented reforms, including firing 104 unqualified or corrupt employees. From July to October, customs seized 860 kilos of drugs compared to 169 kilos seized from January to June, a 408 percent increase. In October, the new government created anticorruption and organized crime joint taskforces to target high level organized crime members, including known drug traffickers. Despite progress in reforming law enforcement agencies and proposal of new legislation, a lack of financing, inadequate equipment, lingering

corruption, and excessively formalistic judicial procedures continue to be challenges in counternarcotics efforts. The new government has proposed amendments to the criminal procedure code to streamline evidence collection, expedite the judicial process, and close legal loopholes.

III. Country Actions Against Drugs

Policy Initiatives. The Bulgarian government adopted a new five-year National Strategy for Drug Control (2009 - 2013) in May. Proposed changes to the criminal procedure code being debated in parliament would streamline evidence collection, expedite the judicial process, and close legal loopholes that organized crime figures and known drug traffickers use to avoid sentencing. The new government is also pushing through legislation to strengthen its asset forfeiture laws, which would prevent drug kingpins from transferring assets to family members or associates.

Law Enforcement Efforts. The Customs Agency under the Ministry of Finance and the Ministry of Interior (MOI), along with several specialized police services under the MOI, including the Border Police and the Directorate for Combating Organized and Serious Crime, are engaged in counternarcotics efforts. In November, the parliament passed a high-profile bill to reform the State Agency for National Security (DANS), clarifying its law enforcement role in relation to the Ministry of Interior. The bill removed organized crime, drugs, dual use goods, and transborder crime from the agency's jurisdiction, and prohibited DANS from conducting controlled delivery and undercover operations. The bill was widely viewed as a step in the right direction by local observers and Bulgarian law enforcement, as it clarified the role and responsibility of relevant agencies.

Law enforcement bodies generally maintained drug seizures, despite a noticeable decrease in the first half of the year. From January to

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November 2009, police seized 166 kg of heroin, 0.4 kg of cocaine, 255 kg of amphetamines, 543 tablets of psychotropic substances, 8 kg of marijuana, and 9,301 kg of cannabis. From January to November, the Customs Agency seized 719 kg of heroin, 234 kg of cocaine, 23 kg of ecstasy, 5 kg of marijuana, 44 kg of hashish and 588 tablets of psychotropic substances. Bulgarian authorities shared information and developed joint operations with international law enforcement agencies. Police and prosecutors also worked with foreign counterparts to obtain evidence on the use of offshore corporations and bank accounts by Bulgarian money launderers to hide drug proceeds. Bulgaria's Commission for asset forfeiture (an independent agency) filed charges under Bulgarian law against a U.S. cocaine trafficker convicted in federal court in Miami, using that U.S. conviction to proceed against his properties in Bulgaria. From January to June there were 1453 investigations, 1042 prosecutions and 872 convictions for drug crimes.

Corruption remains a serious problem in law enforcement and the judiciary. Despite some reforms, the judiciary as a whole (which includes prosecutors and judges) consistently receives poor scores in the area of public confidence in opinion polls. As a matter of government policy, Bulgaria does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. There is also no evidence that senior Bulgarian officials engage in these activities.

Agreements and Treaties. Bulgaria is a party to the 1988 UN Drug Convention, the 1961 Single Convention as amended by its 1972 Protocol, the 1971 Convention on Psychotropic Substances and the 1990 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of Proceeds from Crime. Bulgaria is a party to the UN Convention against Corruption and the UN Convention against Transnational Organized Crime and its three Protocols. A new U.S.-Bulgarian Extradition Treaty entered into force in 2009, which for the first time allowed for the extradition of Bulgarian nationals on drug trafficking charges.

Cultivation and Production. The only illicit drug crop known to be

cultivated in Bulgaria is cannabis, primarily for domestic consumption. The full extent of this illicit drug cultivation is not precisely known, but is a major source of supplementary income for retirees in some areas in the southwestern part of the country. Experts ascribe cultivation of cannabis to the ready availability of uncultivated land and Bulgaria's amenable climate, particularly along the Greek border. Cannabis is not trafficked significantly beyond Bulgaria's own borders. Recent evidence suggests that there has been a decrease in the indigenous manufacture of synthetic stimulant products after some illegal laboratories relocated to Eastern Turkey, Syria, Lebanon, and Armenia in order to be closer to consumers and to reduce risks associated with border crossings. According to the MOI, amphetamine derivatives are not produced in Bulgaria. Local production of amphetamines, mainly for the local market, usually takes place in small laboratories with limited capacity. From January to November the police closed five such facilities.

Drug Flow/Transit. Synthetic drugs, heroin, and cocaine are the main drugs transported through Bulgaria. Heroin from the Golden Crescent in Southwest Asia has traditionally been trafficked to Western Europe on the Balkan route from Turkey. The trend of heroin traffic moving by the more circuitous routes through the Caucasus and Russia to the north and through the Mediterranean to the south is strengthening. Other trafficking routes crossing Bulgaria pass through Serbia, Montenegro, Kosovo and Macedonia. In addition to heroin and synthetic drugs, smaller amounts of marijuana and cocaine also transit through Bulgaria. Sporadic cocaine shipments from South America are transported via boat to the Black Sea and Greece, then on to Western Europe. Precursor chemicals for the production of heroin pass from the Western Balkans through Bulgaria to Turkey and on to Afghanistan. Synthetic drugs produced in Bulgaria are also trafficked through Turkey to markets in Southwest Asia. Principal methods of transport for heroin and synthetics include buses, vans, TIR trucks, and cars, with smaller amounts sent by air. Cocaine is primarily trafficked into Bulgaria by air in small quantities, and by motor vehicles and maritime vessels in larger quantities.

Domestic Programs/Demand Reduction. The Bulgarian government includes methadone maintenance as a heroin treatment option in the national healthcare system. Nationwide there are 30 outpatient units offering drug substitution programs with the capacity to treat 5,560 patients and 15 inpatient clinics with the capacity to treat approximately 2,000 drug addicts and alcoholics. None of these facilities has a separate unit for juvenile patients. In addition, there are seven social rehabilitation programs, two of which are long-term community based programs. The Bulgarian National Center for Addictions (NCA), co-funded by the EU Monitoring Center for Drug Addictions, conducts prevention campaigns. There are 26 regional councils on narcotics implementing national drug prevention policy

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at the local level and 22 information centers. The information centers, financially supported by the municipalities, have been consistently under-funded which adversely affects staff retention. According to press reports, more than 30 percent of high school students reported having tried marijuana, and five percent report having used amphetamines at least once. According to the National Focal Center for Drugs and Addictions, Bulgaria now has more than 20,000 - 30,000 heroin addicts of which just 4,000 - 5,000 undergo treatment each year. Officials estimate that there are between 40,000 to 45,000 drug addicts total. In 2008, the National Statistical Institute reported 74 drug-related deaths, compared to 52 in 2007.

U.S. Policy Initiatives and Programs

Bilateral Cooperation. DEA operations for Bulgaria are managed from the U.S. Consulate General in Istanbul. DEA's current emphasis in Bulgaria is on conducting and coordinating joint international investigations with MOI counterparts and providing DEA technical and legal expertise and assistance. DEA also strives to arrange for counter-narcotics training for Bulgarian law enforcement personnel. A joint operation between DEA and local police resulted in closing a laboratory for synthetic drugs production near Sofia and seizing 150

kg of amphetamine tablets and 2.5 kg of amphetamine substances. A DOJ resident legal advisor, funded by State Department INL assistance, works with the Bulgarian government on law enforcement issues, including trafficking in drugs and persons, intellectual property, cyber-crime, and other issues. A DOJ prosecutor advises the Bulgarian government on organized crime cases. Although final approval has still not come from Washington, DEA has plans to create a full-time presence in Bulgaria, a move strongly supported by the mission.

The Road Ahead. The new Bulgarian government has demonstrated initial political will to combat major organized crime rings and has begun prosecuting numerous cases of high-level corruption. The U.S. government will continue to actively support Bulgaria's efforts to strengthen its asset forfeiture, money laundering, and anti-corruption laws. Increased international assistance and engagement on law enforcement and judicial reform would boost Bulgaria's internal capacity and bolster new reforms. A permanent DEA office in Bulgaria would greatly enhance cooperation and further strengthen efforts to dismantle major drug trafficking networks.

END TEXT

12. POC for this report is Political Officer Joshua Temblador, tembladorj@state.gov.